

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TAMMY BRAUN,)
)
Plaintiff,) No. 1:22-cv-01223
v.)
)
UNUM LIFE INSURANCE COMPANY) Judge Robert W. Gettleman
OF AMERICA,)
)
Defendant.) Magistrate Judge Young B. Kim
)

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 56**

Now comes the plaintiff, TAMMY BRAUN (“Plaintiff” or “Braun”), by her attorneys, DEBOFSKY LAW, LTD., and hereby moves for the entry of judgment in her favor and against the defendant, UNUM LIFE INSURANCE COMPANY OF AMERICA (“Defendant” or “Unum”), pursuant to Fed. R. Civ. P. 56, in this case for long-term disability benefits under § 502(a)(1)(B) of the Employee Retirement Income Security Act of 1974 (“ERISA”) (29 U.S.C. § 1132(a)(1)(B)), as well as § 502(g) (29 U.S.C. § 1132(g)). In support thereof, Plaintiff concurrently submits a Local Rule 56.1 Statement of Material Facts and Memorandum of Law.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in her favor and against Defendant, order Defendant to pay all past due long-term disability benefits to Plaintiff in an amount equal to the contractual amount of benefits to which she is entitled under her policy pursuant to ERISA § 502(a)(1)(B) (29 U.S.C. § 1132(a)(1)(B)), order Defendant to pay Plaintiff prejudgment interest at an appropriate rate on all long-term disability benefits that have accrued prior to the date of judgment pursuant to ERISA § 502(a)(1)(B) (29 U.S.C. § 1132(a)(1)(B)) and/or

ERISA § 502(a)(3) (29 U.S.C. § 1132(a)(3)), and award her attorneys' fees and costs pursuant to ERISA § 502(g) (29 U.S.C. § 1132(g)).

Dated: March 10, 2023

Respectfully Submitted,

/s/ Matthew T. Maloney
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on March 10, 2023, he electronically filed the foregoing with the Clerk of the Court using the CMF/ECF filing system, which sent notice of such filing to all attorneys of record who have appeared in this matter.

/s/ Matthew T. Maloney
Matthew T. Maloney
One of Plaintiff's Attorneys

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